

Application No.: 10/717,676
Amendment filed on February 28, 2006
Reply to Office Action dated November 29, 2005

Docket No.: 8734.260.00-US

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings hereby adds FIG. 6. The drawing changes are made to overcome the Examiner's objection to the drawings.

Attachment: New Drawing Sheet (FIG. 6)

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Final Office Action dated November 29, 2005 has been received and its contents carefully reviewed.

FIG. 6 is hereby added. The specification is hereby amended to reflect changes in the drawings. Also, claims 18 and 19 are hereby amended. No new matter is added. Claims 1-19 are pending and claims 1-17 are withdrawn from consideration. Accordingly, claims 18 and 19 are examined. Reexamination and reconsideration of the examined claims are respectfully requested.

In the Office Action, the drawings are objected to under 37 C.F.R. § 1.83(a). Applicant hereby adds FIG. 6 to overcome the objection. Also, the specification is amended to reflect changes in the drawings. No new matter is added. See, for example, paragraph [0010] of the present specification. Accordingly, Applicant respectfully requests withdrawal of the objection.

Also, claims 18 and 19 are objected to under 37 C.F.R. § 1.75(c), as being of improper dependent form. Applicant hereby amends claims 18 and 19 such that the claims are now in independent form. Accordingly, Applicant respectfully submits the objection is overcome and requests withdrawal of the objection.

Also in the Office Action, claims 18 and 19 are rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 5,208,690 to Hayashi et al. (hereinafter "the Hayashi reference"). The rejection of claims 18 and 19 is respectfully traversed and reconsideration is requested.

On page 4 of the Office Action, the Examiner states "that process limitation in claim 1 does not carry weight in a claim drawn to structure because distinct structure is not necessarily produced." However, according to Chapter 2113 of the M.P.E.P., the "structure implied by the process steps should be considered when assessing the patentability of product-by-process claims

over the prior art, especially where the product can only be defined by the process steps by which the product is made, or where the manufacturing process steps would be expected to impart distinctive structural characteristics to the final product.” See *In re Garnero*, 412 F.2d 276, 279, 162 U.S.P.Q. 221, 223 (CCPA 1979). Claim 18 is allowable over Hayashi in that claim 18 recites a “display device including a plurality of thin transistors formed using a method” including, in part “forming an amorphous silicon film over a substrate” and “crystallizing the amorphous silicon film to form a polycrystalline silicon film using a sequential lateral solidification crystallization method.” Similarly, claim 19 is allowable over Hayashi in that claim 19 recites a “liquid crystal display panel including a plurality of thin transistors formed using a method” including, in part “forming an amorphous silicon film over a substrate” and “crystallizing the amorphous silicon film to form a polycrystalline silicon film using a sequential lateral solidification crystallization method.”

Applicant respectfully submits that “crystallizing the amorphous silicon film to form a polycrystalline silicon film using a sequential lateral solidification crystallization method” imparts distinctive structural characteristics to the “polycrystalline silicon film.” As discussed in the present specification, during a sequential lateral solidification process, amorphous silicon is melted and upon re-crystallization, forms laterally grown silicon grains. See paragraph [0012]. Also, the polycrystalline film is grown with large-sized grains. See paragraph [0036]. Thus, the orientation and size of silicon grains formed during a “sequential lateral solidification crystallization method” are distinct from the characteristics of silicon grains formed during other processes. For example, as discussed in the present specification, other crystallization processes yield metal impurities, non-uniformities, and irregular surface variations in the polycrystalline silicon film. See paragraphs [0009] to [0011]. The Hayashi reference merely discloses a polycrystalline silicon film and does not disclose the orientation or size of the grains in the film. See column 6, lines 19-37. Furthermore, Hayashi is silent with respect to a “sequential lateral solidification crystallization method.”

Thus, Applicant respectfully submits that, as recited in claims 18 and 19, “crystallizing the amorphous silicon film to form a polycrystalline silicon film using a sequential lateral solidification crystallization method” imparts distinctive structural characteristics to the

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“polycrystalline silicon film.” This is different from what is disclosed in the Hayashi reference. Accordingly, Applicant respectfully submits that claims 18 and 19 are allowable over the Hayashi reference.

Applicant believes the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: February 28, 2006

Respectfully submitted,

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